[DE] Public value determination procedure for content discoverability on user interfaces completed

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At the beginning of June 2025, the German state media authorities completed a procedure for the second time to determine which media content should be treated as “public value” offerings on media platforms’ user interfaces, i.e. which content must be easy to find. In addition to 73 nationwide video, audio and telemedia offerings, 247 local, regional and state-wide offerings were awarded public value status. With a total of 320 offerings, this is 49 more than in the first determination procedure, which, according to the media authorities, demonstrates the high relevance of the discoverability rules.

The public value determination procedure is based on Article 84 of the *Medienstaatsvertrag* (state media treaty – MStV). This stipulates that user interfaces such as smart TVs must make all broadcast programmes they provide directly accessible and easy to find at the first selection level. Certain channels, such as those of public service broadcasters, must be particularly easy to find, along with private channels that “make a significant contribution to the diversity of opinions and offerings in Germany”. A similar rule exists for telemedia offerings, i.e. certain forms of online media. However, the state media authorities determine who receives this public value status. The criteria for assessing a service’s importance for diversity include the proportion of news content and regional information it provides, accessibility, European production quotas, the proportion of content for younger audiences, etc.

Further details on this and rules on the procedure can be found in the state media authorities’ *Public-Value-Satzung* (public value statute), which requires broadcasters and telemedia providers to apply for public value status for individual programmes through a tendering procedure. The *Kommission für Zulassung und Aufsicht* (Commission on Licensing and Supervision – ZAK), as the central body of the media authorities, decides on the applications and the compatibility of the offerings with the criteria set out in Article 84 MStV. The first public value determination procedure, completed in 2021, was only valid for three years.

The public value determination procedure ensures that decisions on which media content is easier to find are not made exclusively by user interface providers. As part of the media system in Germany, which ensures the separation of state and

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media, the state media treaty requires the state media authorities to guarantee a wide diversity of opinions and offerings when making private media offerings easy to find. The media authorities believe that true diversity only exists if, for example, informative, independent and high-quality journalistic and editorial offerings are easy to find. Public value status also makes the huge diversity of socially relevant local and national providers more visible. In the media authorities' opinion, this diversity is the best media-related protective shield for German democracy. The large number of broadcasters that have received public value status demonstrates the industry's need for better discoverability.

The lists of services that must be easy to find will be published on the media authorities' website, probably in autumn 2025. These will then need to be taken into account by user interface providers. With the procedure now complete, the media authorities once again recommend a non-discriminatory sorting based on a sequential list.

Dokumente zum Public-Value-Status

https://www.die-medienanstalten.de/aufgaben/vielfaltssicherung/public-value/

Documents on public value status

https://www.die-medienanstalten.de/aufgaben/vielfaltssicherung/public-value/

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